

## Fishery Conservation and Management

## § 622.179

monitoring reporting program as directed by the SRD.

[78 FR 22952, Apr. 17, 2013, as amended at 78 FR 78781, Dec. 27, 2013; 79 FR 19495, Apr. 9, 2014]

### § 622.177 Gear identification.

(a) *Sea bass pots and associated buoys*—

(1) *Sea bass pots*. A sea bass pot used or possessed in the South Atlantic EEZ between 35°15.19' N. lat. (due east of Cape Hatteras Light, NC) and 28°35.1' N. lat. (due east of the NASA Vehicle Assembly Building, Cape Canaveral, FL), or a sea bass pot on board a vessel with a commercial permit for South Atlantic snapper-grouper, must have a valid identification tag issued by the RA attached.

(2) *Associated buoys*. In the South Atlantic EEZ, buoys are not required to be used, but, if used, each buoy must display the official number and color code assigned by the RA so as to be easily distinguished, located, and identified.

(3) *Presumption of ownership*. A sea bass pot in the EEZ will be presumed to be the property of the most recently documented owner. This presumption will not apply with respect to such pots that are lost or sold if the owner reports the loss or sale within 15 days to the RA.

(4) *Unmarked sea bass pots or buoys*. An unmarked sea bass pot or a buoy deployed in the EEZ where such pot or buoy is required to be marked is illegal and may be disposed of in any appropriate manner by the Assistant Administrator or an authorized officer.

(b) [Reserved]

### § 622.178 At-sea observer coverage.

(a) *Required coverage*. (1) A vessel for which a Federal commercial vessel permit for South Atlantic snapper-grouper or a charter vessel/headboat permit for South Atlantic snapper-grouper has been issued must carry a NMFS-approved observer, if the vessel's trip is selected by the SRD for observer coverage. Vessel permit renewal is contingent upon compliance with this paragraph (a)(1).

(2) Any other vessel that fishes for South Atlantic snapper-grouper in the South Atlantic EEZ must carry a NMFS-approved observer, if the ves-

sel's trip is selected by the SRD for observer coverage.

(b) *Notification to the SRD*. When observer coverage is required, an owner or operator must advise the SRD in writing not less than 5 days in advance of each trip of the following:

(1) Departure information (port, dock, date, and time).

(2) Expected landing information (port, dock, and date).

(c) *Observer accommodations and access*. An owner or operator of a vessel on which a NMFS-approved observer is embarked must:

(1) Provide accommodations and food that are equivalent to those provided to the crew.

(2) Allow the observer access to and use of the vessel's communications equipment and personnel upon request for the transmission and receipt of messages related to the observer's duties.

(3) Allow the observer access to and use of the vessel's navigation equipment and personnel upon request to determine the vessel's position.

(4) Allow the observer free and unobstructed access to the vessel's bridge, working decks, holding bins, weight scales, holds, and any other space used to hold, process, weigh, or store fish.

(5) Allow the observer to inspect and copy the vessel's log, communications logs, and any records associated with the catch and distribution of fish for that trip.

### § 622.179 Conservation measures for protected resources.

(a) *South Atlantic snapper-grouper commercial vessels and charter vessels/headboats*—

(1) *Sea turtle conservation measures*. (i) The owner or operator of a vessel for which a commercial vessel permit for South Atlantic snapper-grouper or a charter vessel/headboat permit for South Atlantic snapper-grouper has been issued, as required under §§ 622.170(a)(1) and 622.170(b)(1), respectively, and whose vessel has on board any hook-and-line gear, must post inside the wheelhouse, or within a waterproof case if no wheelhouse, a copy of the document provided by NMFS titled, "Careful Release Protocols for Sea Turtle Release With Minimal Injury," and must post inside the